Environmental Protection Agency

Fiscal Year 2013 Program Review

Of the

Texas Commission on Environmental Quality

Public Water Supply Supervision Program

Revised May 12, 2014 per TCEQ Comments

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I. Introduction

The Public Water Supply Supervision (PWSS) Program Review meeting was conducted at the Texas Commission on Environmental Quality's (TCEQ) Austin, Texas office on March 5, 2014. The following table contains the meeting attendees.

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This report provides a review of TCEQ's PWSS Program under the Safe Drinking Water Act (SDWA). Title 40 of the Code of Federal Regulations (CFR) part 142.17 (a)(1) states: "At least annually the Administrator shall review, with respect to each State determined to have primary enforcement responsibility, the compliance of the State with the requirements set forth in 40 CFR part 142, subpart B, and the approved State primacy program." This review examines TCEQ's drinking water rules implementation as well as reporting and documents TCEQ's initiatives, activities, and achievements undertaken to meet and/or exceed the national drinking water standards.

TCEQ's Public Drinking Water Section (PDWS) is tasked to implement new and more protective drinking water rules and also undertake data management challenges. EPA will continue to work in partnership with TCEQ to strengthen the PWSS program, assist with adopting new primacy requirements, enhance program efficiency and compliance determinations, and ultimately assure consumers access to cost effective, safe, and superior quality drinking water. EPA recognizes that TCEQ has dedicated staff willing to work to uphold a high quality PWSS program as evidenced in this review.

II. Highlights and Recommendations

1. TCEQ continues pursuing primacy revision approval for the Ground Water Rule (GWR). TCEQ will implement the GWR according to the EPA requirements in the interim.

2. TCEQ is preparing the Revised Total Coliform Rule (RTCR) crosswalk. TCEQ and EPA will work to complete a final program revision package. TCEQ intends to submit a RTCR two year extension request to EPA for approval to provide the complete primacy package by no later than February 13, 2017.

3. EPA recommends that TCEQ adopt by reference where possible to save resources and facilitate adopting new regulations in a timely manner.

4. EPA commends TCEQ for achieving the Performance Activity Measures (PAM) above the targets illustrated in Appendix G.

5. TCEQ did not achieve the FY 2013 Source Water Protection Performance Measures SP 4(a) & (b) shown in Appendix H.

6. The reported TCEQ FY 2013 Sanitary Survey Performance Measure (SDW-1a) is 95% that exceeds the SDW-1a 91% EPA target as indicated in Appendix H.

7. TCEQ should continue to ensure sanitary survey data is entered and reported comprehensively to SDWIS-Fed.

8. The FY 2014 National Water Program Measures are illustrated in Appendix I. Note that the Sanitary Survey Measure – SDW1a - has changed to: Percent of CWSs that have undergone a sanitary survey within the last three years (five years for outstanding performers or those groundwater systems approved by the primacy agency to provide 4-log treatment of viruses).

9. FY 2013 timeliness and completeness of Texas SDWA data submitted to the federal Safe Drinking Water Information System (SDWIS-FED) continues to improve and currently meets the EPA requirements.

10. Texas PWS MCL violations are summarized in the below table.

FY 2009 to FY 2013 PWS MCL Violations Table *Reference Appendix K

Contaminant	FY 2009	FY 2010	FY 2011	FY 2012	*FY 2013
Arsenic	262	355	366	574	366
Fluoride	93	118	130	362	171
Nitrate	145	131	151	448	231
Representative IOC Total	500	604	647	1384	768
Combined Radium	26	51	52	252	162
Gross Alpha	21	47	41	188	122
Uranium	8	15	10	38	43
Rad Total	55	113	103	478	654
TCR (MCL)	79	100	123	304	145
LCR (ALE)	39	27	27	52	56
TTHM	110	211	181	530	304
HAA5	34	57	33	80	79
DBP1 Total	144	268	214	610	752

11. Unliquidated Obligations (ULO), primarily for the Texas loan fund, continue to be an issue, due to increased scrutiny of the federal budget. Therefore TCEQ is encouraged to draw down funds for expenses in a timely manner.

12. The PWS data used for this report was obtained from the SDWIS/Fed (Safe Drinking Water Information System) database (07/01/2012 - 06/30/2013; data frozen in October 2013) and does not reflect future updates.

13. The FY 2013 Enforcement Program Review is available in a separate report available upon request.

14. EPA appreciates the continued forthcoming and receptive TCEQ relationship. EPA also recognizes the continued TCEQ PWSS partnership in such areas as EPA program reviews, primacy adoption, Public Water System definition lawsuit partnership, SDWIS-TX work, disaster response, and other initiatives.

III. Texas Drinking Water System Universe

Public water systems (PWS) provide water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serve an average of at least 25 people for at least 60 days a year. EPA has defined three types of public water systems:

1. Community Water System (CWS): a public water system that regularly supplies water to at least 25 year-round residents or to at least 15 service connections.

2. Non-Transient Non-Community Water System (NTNCWS): a public water system that is not a community water system and that regularly supplies water to at least 25 of the same people at least six months per year. Some examples are schools, factories, office buildings, and hospitals which have their own water systems.

3. Transient Non-Community Water System (TNCWS): a non-community water system that does not regularly serve at least 25 of the same persons over six months of the year such as a gas station or campground.

PWS sources are:

- Ground water (GW)
- Purchased ground water (GWP)
- Surface water (SW)
- Purchased surface water (SWP)
- Ground water under the influence of surface water (GUI) or (GWUDI) and
- Purchased ground water under the influence of surface water (GUP)

EPA water system size classifications used in this report are:

- Small systems - serve 25 to 3,300 people
- Medium systems - serve 3,301 to 10,000 people
- Large systems - serve more than 10,000 people

According to the Federal Safe Drinking Water Information System (SDWIS/Fed) the State of Texas has a total of **6,941 PWSs** serving **26,486,444 people** in FY 2013**,** as illustrated in the following Texas PWSs Population Table.

Texas FY 2013 SDWIS-Fed PWS Population Table

PWS Type	GU		GUP		GW		GWP		SW		SWP		TOTAL	
	SYS	POP	SYS	POP	SYS	POP	SYS	POP	SYS	POP	SYS	POP	SYS	POP
CWS	22	23,030	-	-	3,220	5,188,743	197	398,360	309	11,222,976	904	8,870,543	4,652	25,703,652
NTNC			-	-	780	220,360	20	9,094	7	4,567	100	280,672	907	514,693
TNC	9	1,542	-	-	1,262	229,992	31	8,319	13	9,704	67	18,542	1,382	268,099
Sum	31	24,572	-	-	5,262	5,639,095	248	415,773	329	11,237,247	1,071	9,169,757	**6,941**	**26,486,444**

IV. TCEQ Public Water Supply Supervision (PWSS) Program

IV. A. TCEQ Organization

Background: Prior to and immediately after federal promulgation of the SDWA, PWSS Program responsibility resided with the Texas Department of Health. In 1990, the program was transferred to the Texas Water Commission, which was reorganized into the Texas Natural Resource Conservation Commission (TNRCC) in 1992. In 2003, the TNRCC was renamed the TCEQ. The applicable organization charts are shown as listed below:

1. The TCEQ organization chart is shown in Appendix A
2. The Office of Water - Water Supply Division (WSD) organization chart is shown in Appendix B
3. The Public Drinking Water Section organization chart is shown in Appendix C
4. The WSD Contact Table is shown in Appendix D

The TCEQ PWSS program involves three offices and multiple divisions. The Office of Water (OW) houses the WSD. The Office of Compliance and Enforcement (OCE) contains the Enforcement Division (ED), and the Field Operations (regional) Division (FOD). The Office of Waste (OW) houses the Permitting & Registration Support Division (PRSD), where the operator certification program is currently located.

Reorganization update: TCEQ is currently undergoing a legislative directed reorganization that will become effective on September 1, 2014; reference the FY 2014 WSD organization chart in Appendix B and the Public Drinking Water Section organization chart in Appendix C. 13 Utilities and District staff are projected to move to the Public Utility Commission (PUC). Capacity Development functions are staying with the DWP including receivership. The PUC will retain certain Capacity Development functions. The PUC will need to coordinate on rates and receivership (management and rate changes) with the Water supply Division (WSD). Certificates of Convenience and Necessities (CCN) are also moving to the PUC.

IV. B. TCEQ's Regulating PWSs Responsibility and Authority

TCEQ's public drinking water program is a part of the state's PWSS program. The state is required to maintain a PWSS program in order to retain primary enforcement authority (primacy) over Texas public water systems' (PWSs') compliance with the SDWA and its amendments.

The TCEQ's PWSS program is implemented by many areas within the agency as indicated below. The EPA provides flexibility to primacy agencies for some PWSS program activities by requiring TCEQ to develop a program for certain activities, with EPA approval of the program. TCEQ is required to:

1. Adopt, implement, and support compliance with drinking water rules at least as stringent as the federal rules. This is done by the Public Drinking Water Section of the Water Supply Division in the Office of Water (OW/WSD/PDWS).

2. Deliver PWS inventory, violation, and action data to EPA (OW/WSD/PDWS).

3. Ensure compliance monitoring and compliance determination for chemical and microbiological standards, ensure initial water quality meets minimum standards before approving a new source (OW/WSD/PDWS).

4. Assess the source water vulnerability of all drinking water sources in the state and provide support to help public water systems protect those source waters (OW/WSD/PDWS).

5. Review and approve engineered plans for PWS infrastructure improvements. This is done by the Plan and Technical Review Section of the Water Supply Division in the Office of Water (OW/WSD/UDS).

6. Support programs for capacity development (OW/WSD/PTR).

7. Oversee compliance with and provide technical assistance for Homeland Security requirements for PWSs (OW/WSD/PDWS).

8. Perform sanitary surveys of source, treatment, distribution, storage, pump facilities, data verification, management, operation, and operator compliance for new and existing PWSs. This is done by the Regions under the Field Operations Division of the Office of Compliance and Enforcement (OCE/FOD).

9. Ensure formal enforcement action for PWSs that exceed compliance trigger levels agreed upon by TCEQ and EPA. TCEQ's Enforcement Division of the Office of Compliance and Enforcement maintains this part of the PWSS program.

10. Maintain a licensing program for PWS operators. The Operator Licensing Section runs this program.

11. Maintain a laboratory certification program for the analysis in the drinking water matrix. This is done by the Quality Assurance Section.

The National Primary Drinking Water Regulations, adopted under the Safe Drinking Water Act, can be found in Title 40, Code of Federal Regulations Part 141 and special primacy requirements found in Part 142. The rules that TCEQ adopts and implements can be found in 30 TAC 290.

Primacy is a status that must be maintained. As EPA promulgates new regulations, Texas continues to adopt the new requirements under State law and applies for primacy revisions for those requirements. TCEQ historically does not adopt the EPA rule citations by reference. TCEQ traditionally writes new regulations to be equivalent to the federal regulations. EPA recommends that TCEQ adopt by reference in the future to save resources and facilitate adopting new regulations in a timely manner.

TCEQ currently implements a successful PWSS program through technical assistance, preventive efforts, and customer service, as well as through regulatory and enforcement actions. Preventive efforts are aimed at notifying and educating an operator about requirements, and can result in avoiding critical problems. TCEQ also conducts outreach and education activities to promote understanding of and compliance with their regulations. These activities are based on the belief that most water suppliers want to do the right thing if they understand how and why it must be done. Reference: http://www.tceq.texas.gov/drinkingwater/pwss.html.

V. Primacy Review

V. A. Primacy Requirements

TCEQ continues to meet the federal primacy requirements indicated above and listed in Appendix E. The SDWA includes a requirement that EPA establish and enforce such standards as maximum contaminant levels (MCL), treatment techniques, and the monitoring that PWSs must adhere to. Texas is required to maintain a PWSS program in order to retain primacy.

V. B. SDWA PWSS Program Revisions

1) Primacy Revision Applications

TCEQ intends to submit two Texas Regulation packages in the next opportunistic Texas open regulatory session, including:

1. Ground Water Rule (GWR) [revisions based on EPA comments]
2. Revised Total Coliform rule (RTCR)

The complete-and-final primacy revision package consists of:

- Adopted Texas Regulations
- EPA approved Crosswalk
- Texas Attorney General's Enforceability Certification

EPA final determination includes the following:

- EPA Regional Program and Office of Regional Council approval (confirming the Texas regulation equivalency to the 40 CFR Part 141 and 142)
- EPA HQ (including any necessary Office of General Council) approval
- Public Notice
- Opportunity for Hearing
- EPA's Final Determination

GWR: The Texas GWR has been adopted in the Texas Regulations. EPA reviewed the GWR final crosswalk and has comments than need to be addressed relative to the comparative National Primary Drinking Water Regulations (NPDWR) for stringency and completeness. EPA has determined that the Texas Regulations will need to be updated to achieve GWR crosswalk approval and to comprise a complete-and-final primacy revision package. The Texas GWR revision may take place in the 2015 state legislation, or with the RTCR during the next appropriate legislative session. EPA and TCEQ will work towards achieving this task as soon as feasible. TCEQ intends to implement the GWR according to the Federal requirements in the interim. TCEQ has an interim primacy agreement in place for the GWR pursuant to 40 CFR 142.13 (e).

RTCR: TCEQ is preparing the RTCR crosswalk. TCEQ and EPA will work to complete a final program revision package. TCEQ intends to submit a RTCR two year extension request to EPA for review and approval to provide the complete primacy package by no later than February 13, 2017.

Variance and Exemptions (V&E) Regulations: V&E was adopted by TCEQ in October, 2005. The latest V&E crosswalk was created by direct reference to the federal regulations. EPA received

V&E AG Certification on May 5, 2008. TCEQ is not currently using the V&E regulations. If TCEQ does decide to use V&E in the future, the intent is to employ the direct references to the CFR.

2) Approved Primacy Revisions

The Texas approved Primacy Revisions are shown in Appendix F. Texas has primacy for the: Total Coliform Rule (TCR), Consumer Confidence Report Rule (CCR), Phase II/V Regulated Chemical Contaminants Rules, Lead and Copper Rule (LCR) (including LCR Minor Revisions (LCRMR) & LCR Short Term Revisions (LCRSTR)), Surface Water Treatment Rule (SWTR), Interim Enhanced SWTR (IESWTR), Long Term 1 & 2 IESWTR (LT1 & LT2), Arsenic Rule, Stage 1 & 2 Disinfectants and Disinfection Byproducts Rule (DBP1 & DBP2), Public Notification Rule (PN), Filter Backwash Recycling Rule (FBRR), and the Interim and Revised Radionuclides Rules.

V. C. Drinking Water Rules Implementation

Appendix G shows EPA's drinking water Performance Activity Measures (PAMs). The PWS Violation Tables are shown in Appendix J and K. Appendix J shows the Texas FY 2013 Number of Systems with Violations Table and Appendix K shows the Number of Total Violations Table. And lastly, Appendix L shows the Texas top 50 water systems in violation by population.

TCEQ achieved PAMs results that exceed the targets illustrated in Appendix G. One of the drinking water measures reflecting public health improvements is 2.1.1 - Water Safe to Drink: The EPA Region 6 FY 2013 2.1.1 goal is 85%. The Texas 2.1.1 rate achieved is 93.9%, higher than the EPA goal. EPA commends TCEQ for Texas water system performance above and beyond the PAMs expectations.

1) Chemical Monitoring

Compliance Agreements: The TCEQ inorganic contaminant (IOC) and radionuclide (Rad) violations' primary enforcement actions have involved Compliance Agreements (CA)**.** TCEQ CAs (also referred to as Bilateral Compliance Agreements) had enforceable three year end dates, except for fluoride violations that have a five year closing date. TCEQ began implementing the National Enforcement Response Policy (NERP) in May 2011. TCEQ ceased issuing CAs at that time because they were not enforceable formal actions under EPA criteria. Reference the EPA FY 2013 TCEQ Enforcement Program Review Report for more details.

a) Inorganic Contaminants (IOCs)

Texas representative IOC violations are illustrated in the Table below.

Texas FY 2010 to FY 2013 IOC MCL Violation Table

Summarizing FY 2013 SDWIS/Fed quarterly data

Contaminant	FY 2010 PWSs	FY 2010 Violations	FY 2011 PWSs	FY 2011 Violations	FY 2012 PWSs	FY 2012 Violations	FY 2013 PWSs	FY 2013 Violations
Arsenic	117	355	108	366	224	574	92	366
Florida	39	118	35	130	72	362	38	171
Nitrate	59	131	62	151	15	448	81	231
IOC Total	215	604	205	647	452	1784	211	768

Arsenic: When a Texas PWS exceeds the Arsenic MCL, TCEQ requires quarterly public notices. To resolve the running annual average (RAA) violation, PWSs must seek either treatment methods or alternative water sources under a formal enforcement order as defined in the National Enforcement Response Policy. Feasibility Analyses (FA) are required by TCEQ to investigate the available options and determine the costs (capital and operation-and-maintenance). TCEQ can provide financial assistance through a contractor (i.e. TRWA) or the PWS can hire a consultant to conduct the FA. The non- treatment options may include either 1) obtain a new source, or 2) isolate the low arsenic well water level.

The arsenic treatment options often include:

- Removal and blending
- Adsorption medias (Ferric Oxide & Activated Alumina)
- Ion Exchange
- Hybrid-Ion Exchange/Adsorption Media
- Precipitation and filtration
- Reverse Osmosis
- Point-of-use/point-of-entry (POU / POE)

Typical Funding Options include:

- Texas Water Infrastructure Coordinating Committee (TWICC) funding group.
- Drinking Water State Revolving Fund (DWSRF)
- Rate Increase

Nitrate / Nitrite: TCEQ requires systems to sample for nitrate annually. TCEQ is requiring nitrate quarterly repeat sampling for systems with initial monitoring results greater than one-half the 10 mg/L MCL. Such monitoring is at the State discretion. TCEQ is also requiring systems with initial monitoring results greater than or equal to the MCL to perform quarterly nitrites sampling, which can only be reduced to annual sampling after four consecutive quarterly samples below the MCL.

Fluoride: EPA set the enforceable maximum drinking water fluoride MCL of 4 mg/L. Fluoride has a secondary standard of 2 mg/L to protect against dental fluorosis in children. EPA is currently reviewing the Fluoride Drinking Water Standard (reference http://water.epa.gov/drink/contaminants/basicinformation/fluoride.cfm#four).
Fluoride can occur naturally in water. Many Texas communities add fluoride to their drinking water to promote dental health. Texas communities can determine whether or not to add fluoride. Four treatment methods are often suitable for removing fluoride from drinking water, including:

- Activated alumina filters
- Distillation
- Reverse osmosis
- Anion exchange

Texas violators of either the primary fluoride MCL or secondary standard are required by TCEQ to produce a FA, provide good water to children, as well as sample and provide public notification according the National Primary Drinking Water Regulations.

b) Radionuclide (Rad)

The revised Rads Rule came into effect on December 8, 2003. Regulated Rads include combined radium (radium-226 and radium-228), gross alpha particle activity, combined uranium (U), and beta particle and photon radioactivity. No Texas systems have been found to be vulnerable to beta particle contamination and thus are not required to monitor for beta radioactivity. As shown in the following Rads Violation Table, there were 98 FY 2013 Systems and 327 total violations showing an overall decrease over the previous year.

Texas FY 2010 to FY 2013 Rads Violation Table

Summarizing FY 2013 SDWIS/Fed quarterly data

Contaminant	FY 2010 PWSs	FY 2010 Violations	FY 2011 PWSs	FY 2011 Violations	FY 2012 PWSs	FY 2012 Violations	FY 2013 PWSs	FY 2013 Violations
Combined Radium	32	51	27	52	68	252	46	162
Gross Alpha	30	47	27	41	62	188	38	122
U	9	15	7	10	14	38	14	43
Rad Total	71	113	61	103	144	478	98	327

c) Synthetic Organic Chemicals (SOC): As shown in Appendix J & K, there are no recorded FY 2013 Texas PWSs that have SOC MCL violations.

d) Volatile Organic Chemicals (VOC): TCEQ continues to implement the VOC rule in accordance with the National Primary Drinking Water Regulations. There were two systems with a total of four violations in FY 2013.

2) Total Coliform Rule (TCR)

As shown in Appendix J & K, there are 125 FY 2013 Texas PWSs that have 145 TCR MCL violations. TCR MCL and monitoring / reporting violations continue to be a significant portion of the total.

3) Ground Water Rule (GWR)

Texas ground water systems began compliance with the GWR by the December 1, 2009 closing date. Ground water systems will either be 1) treating their water to at least 4-log virus removal/inactivation as approved by Texas, or 2) conduct triggered source water monitoring for the presence of a fecal indicator (i.e., E. coli for Texas) in response to positive sample results from monitoring under the Total Coliform Rule (TCR). In addition, the GWR now provides consistency with Subpart H systems for sanitary surveys. All community and non-community ground water systems will be on a 3 and 5 year survey cycles, and all ground water systems will be surveyed for the same eight elements identified for Subpart H water systems. Corrective action is required for ground water systems, as directed by the TCEQ, for positive source water sample results or significant deficiencies.

4) Lead/Copper Rule (LCR)

TCEQ provides technical assistance to systems with lead (Pb) or copper (Cu) action level exceedances (ALE). Technical assistance is generally provided by TRWA. TCEQ downloads LCR sample data usually once a week from the LCRA-ELS laboratory. In 2013, TCEQ continued to contract with LCRA to complete bottle shipment. As shown in Appendix J & K, there were 26 Texas systems with 28 FY 2013 LCR action level exceedences.

5) Consumer Confidence Report Rule (CCR)

CWSs must submit to TCEQ: 1) a copy of the CCR by July 1st annually, and 2) within three months of the required CCR delivery date, along with a certification that the CCR was correctly distributed. In 2013, TCEQ continues to use UT Arlington contractors to assist with CCR's, mostly phone call assistance. According to the FY 2013 SDWIS-Fed data, there were 735 systems with a CCR violations.

6) Surface Water Rules

The surface water rules include:

- Surface Water Treatment Rule (SWTR)
- Interim Enhanced Surface Water Treatment Rule (IESWTR)
- Filter Backwash Recycling Rule (FBRR)
- Long Term 1 Enhanced Surface Water Treatment Rule (LT1)
- Long Term 2 Enhanced Surface Water Treatment Rule (LT2)

The general SWTRs' purpose is to improve public health protection through the control of microbial contaminants, particularly viruses, *Giardia lamblia*, and *Cryptosporidium*. The Surface Water Treatment Rules:

- Apply to all PWSs using surface water or ground water under the direct influence of surface water (GWUDI), otherwise known as "Subpart H systems."
- Require all Subpart H systems to disinfect.
- Require Subpart H systems to filter unless specific filter avoidance criteria are met.
- Apply a treatment technique requirement for control of microbials.

SWTR: Texas requires surface-water systems to filter. There are currently no known/reported uncovered finished water reservoirs in Texas. Reference the following EPA web-address for further SWTRs regulatory information: http://water.epa.gov/lawsregs/rulesregs/sdwa/swtr/

IESWTR & LT1: Subpart H systems serving 10,000 or more people are required to comply with IESWTR provisions (e.g., turbidity standards, individual filter monitoring). Based on IESWTR individual filter monitoring requirements, TCEQ arranges for a mandatory Comprehensive Performance Evaluation (mCPE). Specifically, systems must conduct a CPE if any individual filter has a measured turbidity level of greater than 2.0 NTU in two consecutive measurements taken 15 minutes apart in two consecutive months as required in the NPDWRs.

In FY 2013, Texas water systems continued to receive technical assistance through TCEQ's Special Performance Evaluation (SPE) program; a formal process for data verification. TCEQ also targets systems for assistance through TCEQ's Texas Optimization Program (TOP) Team.

Under the FBRR, Texas Subpart H water systems that practice conventional or direct filtration, and recycle spent filter backwash, thickener supernatant, or liquids from dewatering processes must complete and submit the TCEQ Water Treatment Plant Recycling Practices Report (RPR), providing the required recycle notification. There are approximately 450 surface water plants in Texas that are subject to the FBRR. New Texas drinking water treatment plants are required to recycle at the beginning of treatment. FBRR records (required to be kept on file at the system) are reviewed by the FOD investigators during CCIs.

The goal of the LT2 is to reduce the risk of disease caused by *Cryptosporidium* and other microorganisms by identifying the systems with the greatest potential for source water contamination. LT2 provides increased protection from the protozoan *Cryptosporidium* found in surface water. TCEQ systems are all in bin one or two with none in bin three or four. There are 24 Subpart H PWSs sampling for LT2, some using membranes with 0.1 NTU or less turbidity results.

As illustrated in Appendix J & K, there are currently 42 Texas systems with 84 SWTR & Interim Enhanced Surface Water Treatment Rule violations.

7) Sanitary Surveys

The FY 2013 Texas SDW-1a Sanitary Survey (a.k.a. TCEQ Comprehensive Compliance Investigations) measure is reported as 95%, as shown in Appendix H. This exceeds the SDW-1a 91% EPA target.

SDW1a is derived from SDWIS-Fed each year in July. TCEQ should continue to ensure sanitary survey data is entered and reported comprehensively to SDWIS-Fed. SDWIS-fed under reporting of the TCEQ sanitary survey rate has been a challenge for many years.

The FY 2013 measure is for the three calendar year period of 2010, 2011, and 2012. FY 2013 SDW-1a was defined as the "Percent of CWSs that have undergone a sanitary survey within three years of their last sanitary survey as required under the Interim Enhanced and Long-Term 1 Surface Water Treatment Rules." The FY 2014 SDW-01a measure, however, has changed to include all CWSs. The new FY 2014 SDW-01a is now defined as: Percent of CWSs that have undergone a sanitary survey within the last three years (five years for outstanding performers or those groundwater systems approved by the primacy agency to provide 4-log treatment of viruses).

The FOD goal is to complete CCIs every three years for CWSs and every five years for NCWSs. Approximately 65 FOD inspectors conduct CCIs. TCEQ continues to use an Enforcement Initiation Criteria category system as defined below:

- Category "A" violations rate automatic enforcement activities;
- Category "B" violations rate enforcement if a system has two deficiencies in a five year period
- Category "C" violations trigger enforcement if a system has three deficiencies in a five year period.

Depending on the severity of the deficiency, systems have a range of response times. The most critical deficiencies must be corrected within 24-hours and the least critical must be corrected within 180 days, unless some sort of approval (i.e., for construction) is involved.

8) Disinfectants and Disinfection Byproducts Rules 1 & 2 (DBP1 & DBP2)

DBP2 provides Texas public drinking water customers more protective (locational) requirements to mitigate disinfection byproducts' long-term health risks that may highlight issues in consecutive systems. As of March, 2014, 726 PWSs began DBP2 monitoring. As illustrated in Appendix J & K, there are 370 systems with 754 DBP1 violations and 12 systems with 12 DBP2 violations. DBP1 and DBP2 FY 2013 SDWIS/Fed MCL violations are shown in the below table.

DBP Violation Table

Summarizing FY 2010 to FY 2013 SDWIS/Fed quarterly data

Violations shown DBP1 violations except beginning in FY 2013 where shown via asterisks

Contaminant	FY 2010 PWSs	FY 2010 Violations	FY 2011 PWSs	FY 2011 Violations	FY 2012 PWSs	FY 2012 Violations	FY 2013 PWSs	FY 2013 Violations
TTHM	90	211	75	181	202	530	*122	**304
HAA5	31	57	13	33	34	80	36	79
DBP1 Total	121	268	88	214	236	610	382	766

*∑TTHM = 119 (DBP1) + 3 (DBP2) = 122

**∑TTHM = 298 (DBP1) + 6 (DBP2) = 304

9) Lab Accreditation Program

The authority to create a laboratory accreditation program in Texas has been established by the Texas Water Code, Chapter 5, Subchapter B. Texas lab accreditation is based on an environmental testing laboratory's conformance to the most current standards adopted by the National Environmental Laboratory Accreditation Program. TCEQ Laboratory Inspections (that analyze samples for SDWA compliance) are performed and controlled according to Title 30 Texas Administrative Code Chapter 25.

- For further TCEQ lab accreditations information, reference the web-address: http://www.tceq.texas.gov/field/qa/env_lab_accreditation.html#rules.

- A list of laboratories accredited by the State of Texas to conduct environmental analysis, including Drinking Water, can be found here: http://www.tceq.state.tx.us/assets/public/compliance/compliance_support/qa/txnelap_lab_list.pdf or by contacting TCEQ at (512) 239-3518.

V. D. Data Management

FY 2013 timeliness and completeness of Texas SDWA data submitted to the federal Safe Drinking Water Information System (SDWIS-Fed) has continued to improve over the past several years. TCEQ has directed resources toward the installation, testing, and production of SDWIS-Texas and its compliance modules, as well as Drinking Water Watch. TCEQ hired 2 new staff from other states to support SDWIS. EPA commends TCEQ for pursuing high standards in SDWA federal reporting timeliness, completeness, as well as the accuracy of compliance determinations and inventory data.

TCEQ is upgrading to SDWIS 3.2 in preparation for SDWIS Prime. TCEQ is planning to transition to SDWIS Prime in 2016 (not 2015 as EPA HQ projects it will be ready). The WSD will continue to use, as primary enterprise databases, 1) SDWIS for SDWA implementation, PWS inventory, compliance determination, and sanitary surveys and 2) the Consolidated Compliance and Enforcement Data System (CCEDS) for enforcement and detailed information relating to sanitary surveys.

VI. 1996 SDWA Amendments Initiatives

VI. A. Source Water Protection (SWP)

TCEQ did not achieve the FY 2013 Source Water Protection Performance Measures SP 4(a) and SP 4(b) illustrated in Appendix H and summarized in the below table.

FY 2013 SWP Performance Measure Table

Strategic Targets	EPA Target	TCEQ Results
SP 4(a)	40%	34%
SP 4(b)	62%	59%

TCEQ should therefore raise implementation efforts to increase the number of Texas community water systems and population served where risk to public health is minimized through source water protection.

VI. B. Capacity Development

Under the TCEQ Capacity Development Program, assistance is provided to mitigate drought and water shortage related issues. One current extreme drought related challenge is in the Wichita Falls area. The Capacity Development Program coordinates with the Texas Water Infrastructure Coordination Committee (TWICC) and facilitates drought workshops and technical assistance. The next workshop is coming in April 2014 in Wichita Falls. TCEQ continues to conduct feasibility analyses (FA), many under EPA enforcement orders. The TCEQ FMT (Financial, Managerial, and Technical) Assistance Contract FY 2013 Annual Report - documenting objectives and tasks accomplished - is available in Appendix M.

TCEQ provided the Texas FY 2013 Capacity Development program status by submitting the Texas Public Water System Capacity Development Annual Report to EPA in September 2013. This report provided information that addresses the SDWA capacity development withholding provisions. EPA determined that the report's content demonstrates that TCEQ is implementing a strategy to assist public water systems in acquiring and maintaining technical, managerial, and financial capacity. Region 6 is satisfied with the progress of TCEQ's Capacity Development program. EPA will request that TCEQ submit to EPA the Texas Capacity Development Annual Implementation Report next fall, 2014, for future FY 2014 DWSRF application processing.

Section 1420(a) of the SDWA requires States to develop legal authority or other means to ensure that new CWSs and new NTNC water systems have financial, managerial, and technical (FMT) capacity with respect to each National Primary Drinking Water Regulation. Section 1452(a)(1)(G)(i) requires EPA to withhold 20% of a State's DWSRF capitalization grant unless the State meets the capacity authority requirements under Section 1420(a).

VI. C. EPA Drinking Water Grants

1) PWSS grant (PPG)

a. The TCEQ draft FY2014 PWSS allotment is $6,617,000 (the FY13 allotment was $6,700,000).

- In December 2013, EPA awarded $1,664,215 under the Continuing Resolution (CR)
- EPA received OMB approval of EPA's Operating Plan for FY 2014 in mid-March 2014

b. Current calculations show a balance of $4,952,785 for TCEQ's FY2014 PWSS grant.

c. As a reminder, the allotments can change from year to year based on the data that the State enters into SDWIS by December every year. The allotment formulas are based on population (20%), geographical area (10%), the number of community and non-transient non-community water systems (56%), and the number of transient non-community water systems (14%).

2) <u>DWSRF Set-asides – Unliquidated Obligations (ULOs) – as of February 27, 2014</u>

Grant Number	Total ULO for TCEQ	Technical Assistance (2%)	State Programs Management (10%)	TX ULO for Loan Fund (TWDB)
FS99679514(FY10)	0	0	0	$50,966,950
FS99679515(FY11)	0	0	0	$50,199,760
FS99679516(FY12)	$1,237,824	$936,356	$301,468	$48,046,927
FS99679517(FY13)	$6,422,040	$1,070,340	$5,351,700	$44,954,280
TOTALS	$7,659,864	$2,006,696	$5,653,168	$194,167,917

ULOs, primarily for the loan fund for Texas, continue to be an issue, due to increased scrutiny to the federal budget, therefore TCEQ is encouraged to draw down funds for expenses in a timely manner. EPA HQ's goal is to have no more than 2 active open grants for SRF programs.

TCEQ has been authorized by TWDB to use approximately $1.5 million additional funds from the FY 2013 grant from the 15% set-aside. EPA Region 6 is working with TCEQ to discuss eligible work items that will be placed in the 15% set-aside work plan to utilize those funds.

The DWSRF FY2014 allotment for Texas is $63,953,000. (The final FY2013 allotment was $53,517,000). EPA has the final allotment amounts approved by OMB, which occurred mid-March, 2014.

3) <u>Quality Assurance (QA) Requirements</u>

a. QMP (QTRAK #14-064): Expires January 2, 2015 (and was approved February 28, 2014)
b. QAPP (QTRAK # 14-038): Expires 11/4/2016

QA plans are due to EPA at least 60 days prior to expiration of the previously approved plan, to allow for review and approval. Quality Assurance Project Plans (QAPP) can be approved for up to 4 years. The latest QAPP was approved for 3 years.

4) <u>State Grant Workplans and Progress Reports - (GPI 11-03)</u>

For all State Categorical Program Grants awarded on or after October 1, 2012, work plans and associated progress reports must prominently display three Essential Elements:

Essential Element 1 – Strategic Plan Goal: Protecting America's Waters
Essential Element 2 – Strategic Plan Objective: Protecting Human Health
Essential Element 3 – Work plan Commitments plus time frame

The EPA Regional office will be required to electronically post work plans and progress reports in the application established for this policy [Grants Policy Issuance (GPI) 11-03]. EPA will work with TCEQ on how these new requirements will affect the Performance Partnership Grant (PPG).

5) Advanced Monitoring Plan for PWSS Grants

New advanced monitoring will be conducted on the TCEQ PWSS Grant at the time of the annual DWSRF oversight review, sometime after FY 2016.

VI. D. Operator Certification

EPA received the FY 2013 Annual Operator Licensing Certification Report from TCEQ in October 2013. This annual report documents how TCEQ is implementing its Operator Certification Program to meet the EPA requirements described in the Guideline for the Certification and Recertification of CWS and NTNC PWS operators, dated February, 1999. EPA has determined that TCEQ is implementing the Texas Operator Certification Program in accordance with the requirements of the Guidelines. The FY 2014 TCEQ Operator Certification annual report is due to EPA by September 1, 2014. Further information on TCEQ water operator licensing requirements is available on the following web-address:
http://www.tceq.texas.gov/licensing/licenses/waterlic/

VI. E. Unregulated Contaminant Monitoring Rule – Cycle 3 (UCMR3)

The proposed third Unregulated Contaminant Monitoring Regulation (UCMR 3) was published in the Federal Register on March 3, 2012. Together, EPA, States, laboratories, and public water systems (PWSs) are engaged at various levels with key roles in UCMR 3. Further information is available on the following web-address:
http://water.epa.gov/lawsregs/rulesregs/sdwa/ucmr/ucmr3/index.cfm

UCMR 3 Highlights: Sampling is anticipated during 2013-2015. The proposed monitoring includes two viruses and 28 unregulated chemical contaminants. Monitoring for the viruses would be the first Pre-Screen Testing (List 3) within UCMR.

All PWSs serving more than 10,000 people, and a representative sample of 800 PWSs serving 10,000 or fewer people, are required to conduct Assessment Monitoring (List 1) for 28 chemicals during a 12-month period: January 2013 through December 2015. Nationally, 800 selected PWSs serving 1,000 or fewer people are required to conduct Pre-Screen Testing (List 3) for two viruses during a 12-month period during January 2013 through December 2015. Further information is available on the following web-address:
http://water.epa.gov/lawsregs/rulesregs/sdwa/ucmr/ucmr3/methods.cfm

The goal of the UCMR, under the SDWA, is to obtain reliable data concerning the occurrence of unregulated contaminants in drinking water as one of the key steps in the EPA's determination of whether or not to regulate them. Since the EPA and the States and Tribes are partners in the implementation of any future regulations associated with these contaminants, we have a joint and mutual interest in obtaining the best data possible through the UCMR monitoring program.

VII. Other Initiatives

VII. A. Staffing

TCEQ employs multiple contracts through State universities, agencies, and outside contractors to perform projects from sampling to technical assistance. To compensate for the continuing TCEQ FTE cap, TCEQ outsources PWSS program activities through the University of Texas at Arlington.

Under the TCEQ Capacity Development program - TCEQ applies DWSRF 2% small system technical assistance funds to perform Financial, Managerial, and Technical (FMT) capacity-assessments and uses an FMT Texas Rural Water Association (TRWA) contract to provide small system technical assistance site visits. TCEQ additionally has a continued Antae Group sample collection contract for Texas PWS chemical sampling that is unrelated to the 2% Set-Asides.

VII. B. Texas Area wide Optimization Program (AWOP)

The Texas Optimization Program (TOP) Annual Report is available in Appendix N. The TOP AWOP goal is to improve the performance of existing surface water treatment plants without major capital improvements. To produce the safest water possible, TOP Team members evaluate performance and identify the factors that might be limiting plant performance. The evaluation technique used most often at public water systems is the Comprehensive Performance Evaluation (CPE). The evaluation includes an assessment of:

- Plant design
- Operational procedures
- Maintenance practices
- Administrative policies

The TOP develops and provides instruction on surface water treatment and disinfection in the form of directed assistance modules (DAM). Quarterly, new rule and drinking water concept training are provided by the TOP to FOD inspectors. The TOP also trains FOD and WSD staff on Special Performance Evaluations.

VII. C. The Texas Water Infrastructure Coordination Committee (TWICC): involves a collaborative effort by government agencies and technical assistance organizations to identify Texas water infrastructure and compliance issues. TWICC promotes an efficient process for affordable, sustainable and innovative funding strategies for water infrastructure projects that protect public health (reference http://www.twicc.org/).

VII. D. Texas Drought Program

Drought has become a frequent and inevitable factor in the Texas climate. TCEQ utilizes significant resources to manage drought issues. As of Aug 30, 2013 Texas had 1,100 PWS that had implemented water restrictions. Approximately 48 Texas water systems required mandatory no outside watering. One current extreme drought related challenge is in the Wichita Falls area. For further information, the Texas drought information website is: http://www.tceq.state.tx.us/response/drought/index.html/#respond

The TCEQ drought program includes the following tasks:

- Consults with PWSs regarding drought implementation and other water shortage issues
- Tracks PWSs under water use restrictions
- Tracks and manages water-right draws of surface water
- Conducts training in TCEQ regional offices to equip inspectors to measure and monitor surface water flows and ensure water-right priority calls are honored
- Manages the drought information hot line during business hours to answer questions from the public: 800-447-2827
- Conducts weekly drought mitigation meetings
- Sends targeted news releases in areas where water rights have been curtailed to provide information and encourage conservation

TCEQ is working with TWICC funders, including the Texas Department of Agriculture (TDA) to pursue drought mitigation funding assistance. TCEQ is also working with the TWDB on DWSRF and other PWS drought related grant and loan funding assistance, including interconnections, new wells, consolidation, etc. TWDB changed its policies in FY 2013 to make loans to small systems easier. Under the TCEQ Capacity Development Program, drought related workshops and technical assistance (TA) are provided.

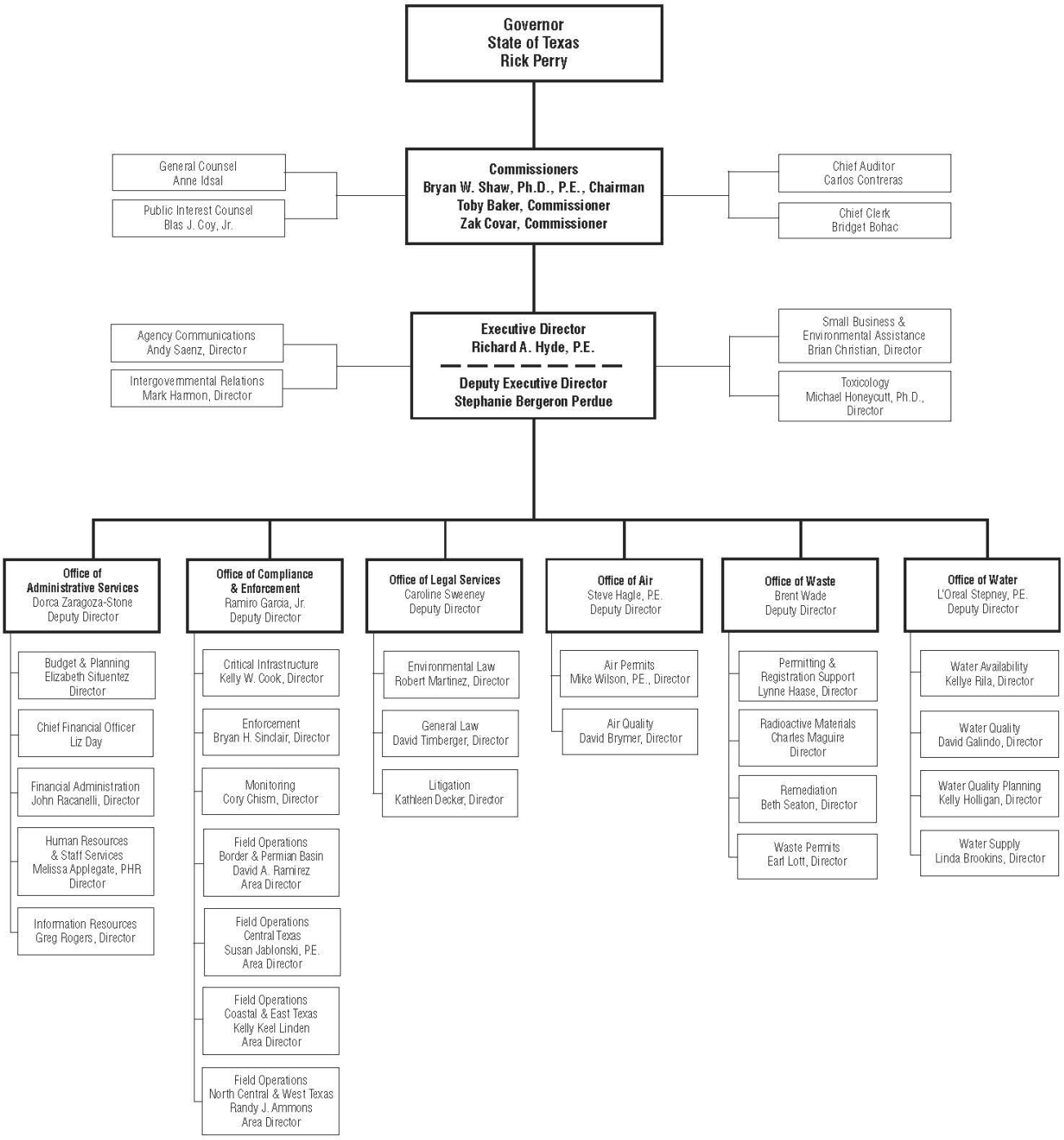
TCEQ Water Conservation Programs: TCEQ supports and encourages the ongoing conservation of water. More information is available via the web address: http://www.tceq.state.tx.us/permitting/water_supply/water_rights/conserve.html

Drought Contingency Plans: PWSs must have a contingency plan in case of water shortages. PWSs throughout Texas have reduced peak demands to extend their water supplies. TCEQ requires all wholesale public water suppliers, retail public water suppliers serving 3,300 connections or more, and irrigation districts to submit drought contingency plans. The TCEQ requires retail public water suppliers serving less than 3,300 connections to prepare and adopt a drought contingency plan and to make the plan available upon request.

APPENDIX A

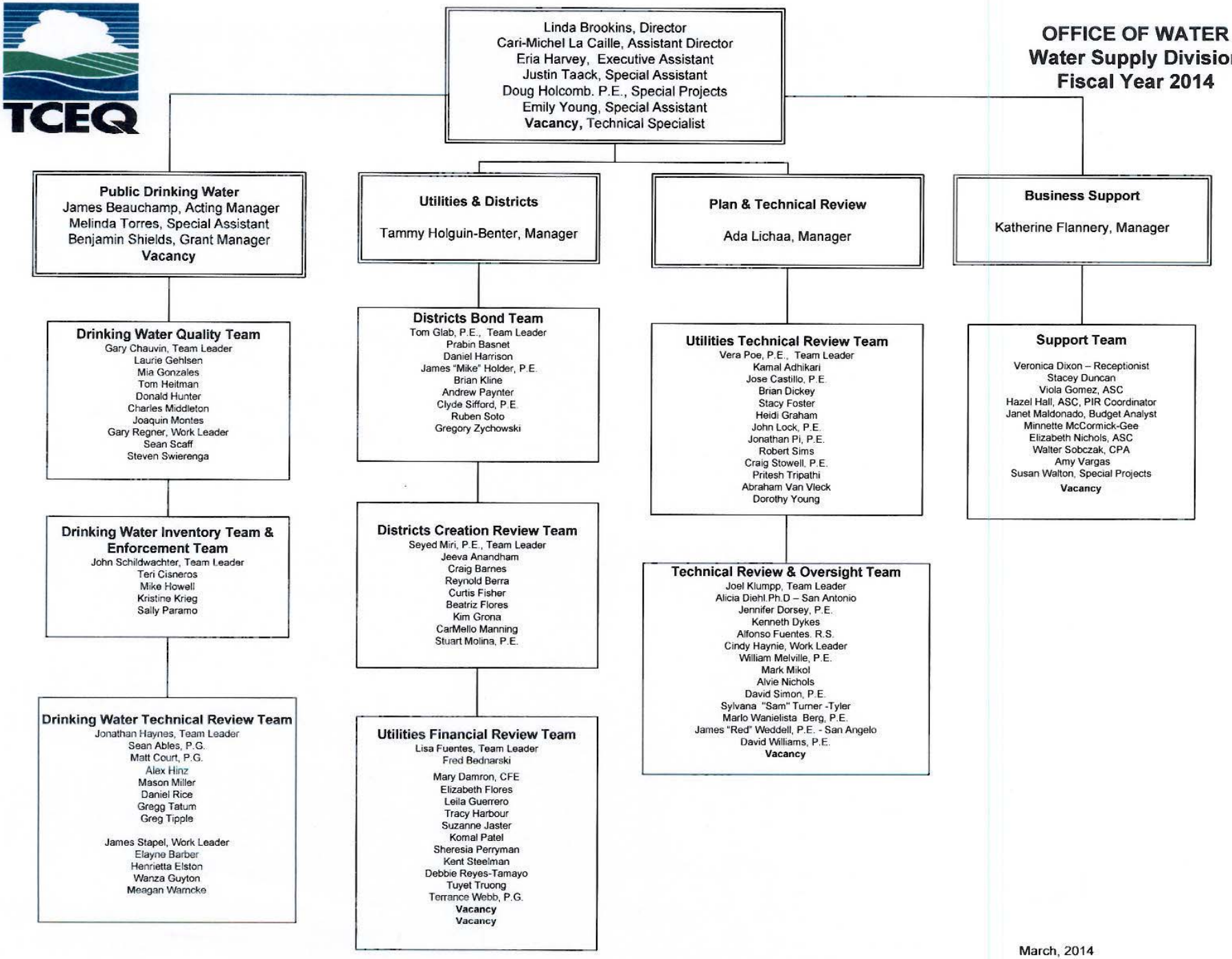
TCEQ ORGANIZATION

January 16, 2014



APPENDIX B

OFFICE OF WATER
Water Supply Division
Fiscal Year 2014



March, 2014

APPENDIX C

Public Drinking Water Section
February 2014

Public Drinking Water
Vacant, Manager
Ben Shields (Contracts & Grant Management)
James Beauchamp, Special Assistant
Melinda Torres, Special Assistant (PDW Homeland Security)

Drinking Water Quality Team (10)
Gary Chauvin, Team Leader
Steven Swierenga, Work Leader
Laurie Gehlsen
Mia Gonzales
Tom Heitman
Donald Hunter
Charlie Middleton
Joaquin Montes
Gary Regner
Sean Scaff

Drinking Water Technical Review Team (13)
Jonathan Haynes, Team Leader
James Stapel, Work Leader
Sean Ables
Elayne Barber
Matt Court
Henrietta Elston
Wanza Guyton
Alex Hinz
Mason Miller
Daniel Rice
Gregg Tatum
Greg Tipple
SA II (Vacancy)

Inventory *and* Enforcement Team (5)
John Schildwachter, Team Leader
Teri Cisneros
Mike Howell
Kristine Krieg
Sally Paramo

APPENDIX D

TCEQ Water Supply Division Contact Table

MAIN LINE: 512-239-4691
FAX: 239-2214
Consumer Assistance Hot Line: 512-239-6100

Director	Linda Brookins	MC 154	239-4625	FAX: 239-6145
Assistant Director	Cari-Michel La Caille	MC 154	239-6479	
Executive Assistant	Eria Harvey	MC 154	239-6104	
Special Assistant	Justin Taack	MC 154	239-1122	
Special Assistant	Emily Young	MC 154	239-4719	
Special Projects	Susan Walton	MC 154	239-6147	
Technical Specialist	Vacant	MC 154	239-4691	
Public Drinking Water Section		MC 155	239-4691	FAX: 239-0030
Manager	Vacant	MC 155	239-4691	
Drinking Water Quality	Gary Chauvin	MC 155	239-1687	
Drinking Water Inventory Enforcement Team	John Schildwachter	MC 155	239-2355	
Drinking Water Technical Review Team	Jonathan Haynes	MC 155	239-4662	
Utilities and Districts Section		MC 153	239-4691	FAX: 239-6972
Manager	Tammy Holguin-Benter	MC 153	239-6136	
Utilities Financial Review	Lisa Fuentes	MC 153	239-6117	
Districts Bond	Tom Glab, P.E.	MC 152	239-4958	
Districts Creation Review	Seyed Miri, P.E.	MC 152	239-3139	FAX: 239-6190
Plans and Technical Review Section		MC 159	239-4691	
Manager	Ada Lichaa, P.G.	MC 159	239-6728	
Utilities Technical Review	Vera Poe, P.E.	MC 159	239-6988	
Technical Review and Oversight	Joel Klumpp	MC 159	239-4453	
Business Support Section		MC 157	239-4691	FAX: 239-2214
Manager	Katherine Flannery	MC 157	239-6116	
Budget Analyst	Janet Maldonado	MC 157	239-4047	
Contract Support	Vacant	MC 157	239-4691	
Administrative Assistant/Public Information Requests	Hazel Hall	MC 157	239-4310	
Administrative Assistant	Viola Gomez	MC 157	239-6173	
Administrative Assistant	Liz Nichols	MC 157	239-2529	

APPENDIX E

Primacy Requirements (40 CFR 142, Subpart B)

- The State must have regulations for contaminants regulated by the national primary drinking water regulations (NPDWRs) that are no less stringent than the regulations promulgated by EPA. States have up to 2 years to develop regulations after new regulations are released by EPA.
- The State must have adopted and be implementing procedures for the enforcement of State regulations.
- The State must maintain an inventory of public water systems in the State.
- The State must have a program to conduct sanitary surveys of the systems in the State.
- The State must have a program to certify laboratories that will analyze water samples required by the regulations.
- The State must have a laboratory that will serve as the State's "principal" lab that is certified by EPA.
- The State must have a program to ensure that new, or modified, systems will be capable of complying with State primary drinking water regulations.
- The State must have adequate enforcement authority to compel water systems to comply with NPDWRs, including:
    - Authority to sue in court;
    - Right to enter and inspect water system facilities;
    - Authority to require systems to keep records and release them to the State;
    - Authority to require systems to notify the public of any system violation of the State requirements; and
    - Authority to assess civil or criminal penalties for violations of the State Primary Drinking Water Regulations and Public Notification requirements.
- The State must have adequate recordkeeping and reporting requirements.
- The State must have adequate variance and exemption requirements as stringent as EPA's, if the State chooses to allow variances or exemptions.
- The State must have an adequate plan to provide for safe drinking water in emergencies like a natural disaster.
- The State must have adopted authority to assess administrative penalties for violations of their approved primacy program
- The state must review plans and specification for new or modified water system facilities

<u>Applicable Law, Regulations and Guidance</u>

- Safe Drinking Water Act, 1974, as amended in 1986 and 1996
- Primacy Regulations 40CFR142, Subpart B, 1976, as amended in 1986
- State Programs Priority Guidance (1992)
- Revisions to Primacy Requirements (1998), 63 FR 23362 to be codified at 40CFR142

APPENDIX F

TCEQ Primacy Table

SDWA Rule (Deadline does not include two-year extension)	DRAFT PRIMACY REVISION APPLICATION OR PROGRAM UPDATE		STATE ADOPTION		FINAL PRIMACY REVISION APPLICATION OR PROGRAM UPDATE	
	Status	***Date***	***Status***	***Date***	***Status***	***Date***
New PWS Def. *(Deadline: 4/28/02)*	Received	1-Apr-00	Adopted	1-Feb-99	Approved	1-Aug-01
Administrative Penalty Authority *(Deadline: 4/28/02)*	Received	1-Apr-00	Adopted	1-Sep-97	Approved	1-Aug-01
CCR Rule *(Deadline: 8/19/02)*	Received	1-Aug-00	Adopted	1-Aug-00	Approved	1-Aug-01
IESWTR *(Deadline: 12/16/02)*	Received	1-Mar-00	Adopted	1-Sep-00	Approved	1-Aug-01
DBPR *(Deadline: 12/16/02)*	Received	1-Mar-00	Adopted	1-Sep-00	Approved	18-Aug-01
PN Rule *(Deadline: 5/6/04)*	Received	1-Oct-03	Adopted	21-Jan-04	Approved	14-Mar-13
LCR MR *(Deadline: 1/14/04)*	Received	1-Oct-03	Adopted	21-Jan-04	Approved	28-Dec-06
Radionuclides Rule *(Deadline: 12/7/04)*	Received	5-Aug-04	Adopted	1-Dec-04	Approved	12-Sep-05
Arsenic Rule *(Deadline: 1/21/05)*	Received	5-Aug-04	Adopted	1-Dec-04	Approved	12-Sep-05
Filter Backwash Rule *(Deadline: 6/8/05)*	Received	4-May-04	Adopted	21-Jan-04	Approved	28-Dec-06
LT1 Rule *(Deadline: 1/14/06)*	Received	4-May-04	Adopted	21-Jan-04	Approved	28-Dec-06
Variances and Exemptions Rule *(No Deadline)*	Received	11-Oct-05	Adopted	2-Apr-02	TBD	TBD
Op Cert Program *(Deadline: 9/30/02)*	NA	NA	NA	NA	Approved	1-Jan-01
Op Cert Expense Reimbursement Grant	NA	NA	NA	NA	Approved	25-Sep-02
Stage 2 DBPR *(Deadline: 1/4/2010)*	Received	Jun-09	Adopted	8-Jan-10	Approved	14-Mar-13
LT 2 IESWTR Rule *(Deadline: 1/4/2010)*	Received	Jun-09	Adopted	8-Jan-10	Approved	14-Mar-13
GWR *(Deadline: 10/11/08)*	Received	Jun-09	Adopted	8-Jan-10	Projected	28-Dec-16
LCR/STR *(Deadline: 9/10/2012)*	Received	Jun-11	Adopted	26-Sep-11	Approved	18-Jul-12

APPENDIX G

FY 2013 SDWIS-Fed Performance Activity Measures (PAM) Table

Code	Measure	EPA Average Goals		FY 2010 EPA R6 Results	Texas (TCEQ) Result	Status
		FY	TARGET			
211	Percentage of the population served by community water systems that receive drinking water that meets all applicable health-based drinking water standards through effective treatment and source water protection	09	89.0%	91.2%	93.9%	Measure Met
		10	88.0%			
		11	87.0%			
		12	87.0%			
		13	**85.0%**			
SP-1	Percentage of the community water systems that provide drinking water that meets all applicable health-based drinking water standards through effective treatment and source water protection	09	87.0%	87.4%	91.4%	On Target
		10	85.0%			
		11	85.0%			
		12	86.0%			
		13	**89.0%**			
SP-2	Percentage of "person months" during which community water systems provide drinking water that meets all applicable health-based drinking water standards	09	95.0%	94.9%	96.5%	On Target
		10	94.0%			
		11	94.0%			
		12	94.0%			
		13	**94.0%**			

APPENDIX H

FY 2013 Source Water Protection Performance Measure Table

Strategic Targets	Measure	EPA R6 Target	TCEQ Results	Status
SP 4(a)	Percent of community water systems where risk to public health is minimized through source water protection.	40%	34%	Below Target
SP 4(b)	Percent of the population served by community water systems where risk to public health is minimized by source water protection	62%	59%	Below Target

FY 2013 Sanitary Survey Performance Measure Table End-of-Year Results:

Code	Measure	EPA Target	TCEQ Result	Status
*SDW-1a	Percent of CWSs that have undergone a sanitary survey within three years of their last sanitary survey as required under the Interim Enhanced and Long-Term 1 Surface water Treatment Rules.	91%	95%	On Target

*The SDW-1a Sanitary Survey measure is derived from SDWIS-Fed each year.

NOTE: The SDW-1a Sanitary Survey measure will change for FY 2014 to: "Percent of CWSs that have undergone a sanitary survey within the last three years (five years for outstanding performers or those groundwater systems approved by the primacy to provide 4-log treatment of viruses)" as shown on the next two pages.

APPENDIX I – FY 2014 National Water Program Measures (Pg. 1 of 2)

FY 2014 ACS Codes	FY 2014 Measure Text	Measure Category	FY 2014 Budget Target	FY 2014 Planning Target	Regional Aggregates	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7	Region 8	Region 9	Region 10
Italicized ACS code denotes a change in measure text and/or in reporting. Measure categories include: OMB PA (OMB Program Assessment); BUD (Budget Measure); SG (State Grant Measure); KPI (Key Performance Indicator); ARRA (Recovery Act Measure); LT (Long Term Budget Measure), and I (Indicator Measure). FY 2014 Budget Target is from 8-year performance measure table in the FY 2014 CJ. SP (Strategic Plan) targets are from the FY2011-2015 EPA Strategic Plan. The SP is currently being updated to cover FY 2014-2018.															
Goal 2 Protecting America's Waters															
Subobjective 2.1.1 Water Safe to Drink															
SDW-211	Percent of the population served by community water systems that receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection.	OMB PA BUD SG ARRA	92%	92%	91%	90%	80%	90%	92%	94%	88%	90%	92%	95%	93%
	FY 2013 COMMITMENT			92.0%	89.8%	89%	80%	90%	92%	94%	85%	80%	91%	95%	92%
	FY 2012 END OF YEAR RESULT			94.7%	94.7%	94%	90%	92%	96%	97%	92%	94%	94%	98%	98%
	FY 2012 COMMITMENT			91%	89.4%	89%	78%	90%	92%	94%	85%	80%	91%	95%	91%
	FY 2011 END OF YEAR RESULT			93.2%	93.2%	91%	84%	89%	96%	96%	91%	92%	94%	97%	97%
	FY 2010 END OF YEAR RESULT			91.4%	91.4%	91.3%	82.4%	96.6%	94.2%	93.2%	90.3%	81.6%	93.2%	96%	92.2%
	FY 2005 BASELINE			89%	89%	92.5%	55.3%	93.2%	93%	94.1%	87.8%	91.2%	94.7%	94.6%	94.8%
	FY 2012 UNIVERSE (in millions)			300,660,601	300,660,601	15,075,985	31,746,186	25,759,503	58,885,811	43,265,858	38,478,029	12,290,075	10,803,416	52,545,562	11,810,176
	National Program Manager Comments	The universe represents the population served by community water systems. The National commitment for FY13 is higher than the regional aggregate commitment to be consistent with the FY13 budget target.													
SDW-SP1.N11	Percent of community water systems that meet all applicable health-based standards through approaches that include effective treatment and source water protection.	OMB PA BUD SG SP	90%	90%	89%	85%	85%	91%	90%	93%	86%	85%	90%	88%	88%
	FY 2013 COMMITMENT			91%	91%	90%	88%	92%	95%	93%	89%	88%	89%	89%	92%
	FY 2012 END OF YEAR RESULT			91%	91%	90%	88%	92%	95%	95%	89%	88%	89%	89%	92%
	FY 2012 COMMITMENT			90%	87.8%	83%	83%	87%	90.5%	93%	85%	85%	90%	88%	88%
	FY 2011 END OF YEAR RESULT			90.7%	90.7%	85%	87%	93%	94%	94%	90%	88%	90%	88%	91%
	FY 2010 END OF YEAR RESULT			89.6%	89.6%	84.8%	85%	91%	91.7%	93.9%	88.8%	87.2%	89.4%	87.8%	89.6%
	FY 2005 BASELINE			89%	89%	85.7%	86.4%	91.8%	91%	92%	86.2%	86.8%	90.3%	91.6%	87.3%
	FY 2012 UNIVERSE			51,870	51,870	2,716	3,673	4,467	8,834	7,347	8,312	4,109	3,311	4,653	4,448
	National Program Manager Comments	FY 2015 target in FY 2011-2015 EPA Strategic Plan is 90%. New measure starting in FY08.													
SDW-SP2	Percent of "person months" (i.e. all persons served by community water systems times 12 months) during which community water systems provide drinking water that meets all applicable health-based drinking water standards.	OMB PA BUD KPI	95%	95%	95%	94%	93%	93%	95%	96%	94%	92%	95%	98%	95%
	FY 2013 COMMITMENT			95%	94.5%	94%	93%	93%	95%	96%	94%	90%	95%	98%	95%
	FY 2012 END OF YEAR RESULT			97.8%	97.8%	98%	95%	97%	98%	99%	97%	98%	98%	99%	99%
	FY 2012 COMMITMENT			95%	94.1%	94%	90%	91%	95%	96%	94%	90%	95%	98%	95%
	FY 2011 END OF YEAR RESULT			97.4%	97.4%	97%	95%	96%	98%	98%	96%	97%	97%	99%	99%
	FY 2010 END OF YEAR RESULT			97%	96.7%	98%	93.5%	91%	98.3%	96.6%	96.6%	96.9%	98%	98.6%	98.4%
	FY 2005 BASELINE			97%	97%	96%	92%	99%	98%	96%	97%	98%	99%	97%	98%
	FY 2012 UNIVERSE			3,088,737,435	3,088,737,435	180,911,820	380,954,232	309,114,036	706,629,732	519	461,736,348	147,480,900	129,640,992	630,546,744	141,722,112
	National Program Manager Comments	Indicator measure in FY07.													
SDW-SP3.N11	Percent of the population in Indian country served by community water systems that receive drinking water that meets all applicable health-based drinking water standards.	BUD KPI SP	87%	87%	80%	90%	95%	n/a	90%	98%	80%	85%	87%	70%	87%
	FY 2013 COMMITMENT			87%	79%	90%	95%	n/a	90%	98%	78%	80%	87%	70%	87%
	FY 2012 END OF YEAR RESULT			84%	84%	100%	100%	n/a	100%	97%	92%	83%	86%	74%	90%
	FY 2012 COMMITMENT			87%	79.9%	90%	90%	n/a	90%	98%	78%	80%	87%	70%	87%
	FY 2011 END OF YEAR RESULT			81.2%	81.2%	100%	50%	n/a	97%	99%	87%	87%	86%	70%	87%
	FY 2010 END OF YEAR RESULT			87.2%	87.2%	100%	100%	n/a	100%	97.1%	89.9%	83.3%	90%	80%	85.5%
	FY 2005 BASELINE			86%	86%	100%	100%	n/a	100%	99.5%	90.4%	86.5%	82.6%	80.9%	88.1%
	FY 2012 UNIVERSE			984,236	984,236	90,594	11,071	n/a	24,935	118,579	80,798	5,394	106,001	494,834	52,030
	National Program Manager Comments	FY 2015 target in FY 2011-2015 EPA Strategic Plan is 88%. The universe represents the population in Indian country served by community water systems.													

APPENDIX I – FY 2014 National Water Program Measures (Pg. 2 of 2)

FY 2014 ACS Codes	FY 2014 Measure Text	Measure Category	FY 2014 Budget Target	FY 2014 Planning Target	Regional Aggregates	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7	Region 8	Region 9	Region 10
Italicized ACS code denotes a change in measure text and/or in reporting. Measure categories include: OMB PA (OMB Program Assessment); BUD (Budget Measure); SG (State Grant Measure); KPI (Key Performance Indicator); ARRA (Recovery Act Measure); LT (Long Term Budget Measure), and I (Indicator Measure). FY 2014 Budget Target is from 8-year performance measure table in the FY 2014 CJ. SP (Strategic Plan) targets are from the FY2011-2015 EPA Strategic Plan. The SP is currently being updated to cover FY 2014-2018.															
SDW-SP4a	Percent of community water systems where risk to public health is minimized through source water protection.	OMB PA BUD	LT	45%	42%	84%	70%	39%	58%	41%	40%	8%	35%	10%	40%
	FY 2013 COMMITMENT			45.0%	40.1%	66%	61%	37%	56%	39.0%	40%	8%	39.0%	10%	40%
	FY 2012 END OF YEAR RESULT			43.3%	41.3%	84%	61%	35%	55%	41.1%	43%	8%	38.3%	10%	44%
	FY 2012 COMMITMENT			40%	39.2%	66%	61%	33%	53%	39%	40%	9%	39%	10%	40%
	FY 2011 END OF YEAR RESULT			40.2%	40.2%	66.3%	61%	35%	52%	40%	40.9%	12%	45%	9%	42%
	FY 2010 END OF YEAR RESULT			36.8%	37%	65.8%	61%	29%	38%	38.8%	40%	9%	38.6%	8%	40%
	FY 2005 BASELINE			20%	20%	51%	30%	12%	21%	19%	19%	13%	20%	1%	28%
	FY 2012 UNIVERSE			51,870	51,870	2,716	3,673	4,467	8,834	7,347	8,312	4,109	3,311	4,653	4,448
	National Program Manager Comments	The universe is the number of community water systems.													
SDW-SP4b	Percent of the population served by community water systems where risk to public health is minimized through source water protection.	SG		57%	56%	97%	80%	64%	59%	68%	62%	20%	35%	13%	80%
	FY 2013 COMMITMENT			57.0%	55.2%	96%	80%	63%	59%	64.0%	60%	20%	37.0%	13%	80%
	FY 2012 END OF YEAR RESULT			55.9%	55.2%	97%	84%	63%	58%	68.7%	63%	20%	38.5%	12%	81%
	FY 2012 COMMITMENT			57%	55.1%	96%	80%	63%	56%	64%	62%	20%	37%	12%	80%
	FY 2011 END OF YEAR RESULT			55.2%	55.2%	95.9%	80%	67%	55%	66%	62.9%	23%	40%	12%	84%
	FY 2010 END OF YEAR RESULT			52.0%	52%	95.7%	80%	63%	46%	62%	63%	22%	51.8%	11%	85%
	FY 2005 BASELINE			n/a	n/a										
	FY 2012 UNIVERSE (in millions)			300,660,601	300,660,601	15,075,985	31,746,186	25,759,503	58,885,811	43,265,858	38,478,029	12,290,075	10,803,416	52,545,562	11,810,176
	National Program Manager Comments	New measure starting in FY08. Note: "Minimized risk" is achieved by the substantial implementation, as determined by the state, of actions in a source water protection strategy. The universe is the most recent SDWIS inventory of community water systems. The FY 2013 NWPG and its Appendix erroneously showed the incorrect commitment for Region 8.													
SDW-18.N11	Number of American Indian and Alaska Native homes provided access to safe drinking water in coordination with other federal agencies.	SP BUD	LT	119,000											
	FY 2013 COMMITMENT			119,000											
	FY 2012 END OF YEAR RESULT			104,266											
	FY 2012 COMMITMENT			110,000											
	FY 2011 END OF YEAR RESULT			97,311											
	FY 2009 BASELINE			80,900											
	UNIVERSE			360,000											
	National Program Manager Comments	New measure for FY11, to supplement SDW-SP5 in the NWPG and replace it in the Strategic Plan. FY 2015 target in FY 2011-2015 EPA Strategic Plan is 136,100.													
SDW-01a	Percent of community water systems (CWSs) that have undergone a sanitary survey within the past three years (five years for outstanding performers or those ground water systems approved by the primacy agency to provide 4-log treatment of viruses).	OMB PA BUD SG	79%	79%	74%	70%	95%	93%	80%	75%	92%	87%	79%	70%	75%
	FY 2013 Baseline			78.7%	78.7%	84.9%	86.9%	90.0%	86.4%	79.9%	80.0%	94.3%	81.2%	66.6%	32.0%
	FY 2013 Universe			49,283	49,283	2,619	3,480	4,321	8,493	7,121	7,945	3,999	3,065	4,004	4,236
	National Program Manager Comments	Prior to FY07, this measure tracked states, rather than CWSs, in compliance with this regulation. Universe updated in FY 2014 to reflect the updated universe (FY 2012) and measure text.													
SDW-01b	Number of tribal community water systems (CWSs) that have undergone a sanitary survey within the past three years (five years for outstanding performers or those ground water systems approved to provide 4-log treatment of viruses).			529	527	2	2	n/a	14	74	9	8	105	319	8
	FY 2013 Baseline			518	518	3		n/a	14	10	37	4	88	287	75
	FY 2013 Universe			710	710	3	7	n/a	14	70	51	9	109	366	81
	National Program Manager Comments	A sanitary survey is an on-site review of the water sources, facilities, equipment, operation, and maintenance of a public water system for the purpose of evaluating the adequacy of the facilities for producing and distributing safe drinking water. Universe updated in FY 2014 to reflect the updated universe (FY 2012) and measure text.													

APPENDIX J

FY 2013 Texas Systems MCL Violation Table

(Small<=3,300; Medium 3,301 - 10,000; Large >10,000)

(Data obtained from FY 2013 SDWIS/Fed)

			Community			Non-Transient Non-Community			Transient Non-Community		
Rule	Subgroup	Contaminant	Small	Medium	Large	Small	Medium	Large	Small	Medium	Large
Chem	IOC	Arsenic	150	14	4	16					
		Fluoride	62	4	4	4			2		
		Nitrate	92		4	20			46		
		Nitrite	4	4							
		Selenium	4		2	2					
	VOC	1,1-Dichloroethylene	2								
DBPR	Stage 1	HAA5	60	8		2			2		
		TTHM	190	16	8	24					
	Stage 2	TTHM			6						
GWR	GWR	Ground Water Rule	2		2	2			2		
SWTR	SWTRs	SWTR	4	2	2						
		IESWTR	10	12	10				2		
LCR	LCR	Lead & Copper Rule	38			12			2		
Rads	Rads	Combined Radium (-226 & -228)	88	4							
		Combined Uranium	28								
		Gross Alpha, Excl. Radon & U	70	6							
TCR	TCR	Coliform (TCR)	104	42	20	10	2		72		

APPENDIX K
FY 2013 Texas MCL Violations Table

(Small<=3,300; Medium 3,301 - 10,000; Large >10,000)
(Data obtained from FY 2013 SDWIS/Fed)

			Community			Non-Transient Non-Community			Transient Non-Community			SUM
Rule	Subgroup	Contaminant	Small	Medium	Large	Small	Medium	Large	Small	Medium	Large	
Chem	IOC	Arsenic	536	136	20	40						732
		Fluoride	240	80	14	6			2			342
		Nitrate	282		4	52			124			462
		Nitrite	4	6								10
		Selenium	10		8	4						22
	VOC	1,1-Dichloroethylene	4									4
DBPR	Stage 1	HAA5	128	22		2			6			158
		TTHM	466	46	24	60						596
	Stage 2	TTHM			12							12
GWR	GWR	Ground Water Rule	2		2	4			2			10
SWTR	SWTRs	SWTR	4	4	2							10
		IESWTR	20	38	12				4			74
LCR	LCR	Lead & Copper Rule	42			12			2			56
Rads	Rads	Combined Radium (-226 & -228)	270	54								324
		Combined Uranium	86									86
		Gross Alpha, Excl. Radon & U	202	42								244
TCR	TCR	Coliform (TCR)	114	50	20	12	2		92			290

APPENDIX L

Texas Top 50 Systems in Violation by Population 07/01/2011 THRU 06/30/2012			IOC					Rads		Stage 1 DBPR		Stage 2 DBPR	SWTR	GWR	TCR
			Arsenic	Fluoride	Nitrate	Selenium	Nitrite	CombRad	GrossAlpha	TTHM	HAA5	TTHM	LT1	GWR	TCR
Pop	PWSID	PWSName	MCL	MCL	MCL	MCL	MCL	MCL	MCL	MCL	MCL	MCL	TT	TT	MCL
297,467	TX1780003	City Of Corpus Christi										2			
199,715	TX2400001	City Of Laredo										1			
111,147	TX1650001	City Of Midland Water Purification Plant	6	4		4						4			
93,200	TX2260001	City Of San Angelo								1					
56,694	TX1230009	City Of Port Arthur											3		
56,200	TX0840003	City Of Galveston													1
39,028	TX1990001	City Of Rockwall													1
31,266	TX0910003	City Of Denison											1		
23,451	TX0940022	Springs Hill Wsc													1
18,712	TX0010001	City Of Palestine											1		2
16,100	TX2200081	City Of White Settlement													1
15,939	TX0310005	Laguna Madre Water District								3					
15,700	TX1080007	City Of Mercedes								3			1		1
15,000	TX1080002	City Of Donna											1		
14,670	TX1410028	Kempner Wsc								4					
11,088	TX0020001	City Of Andrews	7	4											
11,002	TX2440001	City Of Vernon			2										
10,927	TX2430005	City Of Burkburnett			1										
10,349	TX1990002	City Of Royse City													1
10,170	TX0150178	City Of Leon Valley													1
9,600	TX1160003	City Of Commerce					1								
8,512	TX0030023	Hudson Wsc								3					
8,505	TX1080067	Military Hwy Wsc Las Rusias Wtp											3		
8,452	TX1550048	City Of Woodway													1
7,868	TX1410001	City Of Lampasas								4					
7,772	TX1370005	Texas A&M University Kingsville													1
7,641	TX1700087	City Of Splendora													1
7,427	TX2200069	City Of River Oaks													1
7,031	TX0150039	City Of Alamo Heights												1	2
6,750	TX0270001	City Of Burnet													1
6,720	TX1170004	Fritch Municipal Water Supply													1
6,534	TX2340012	Macbee Sud									3				
6,210	TX0830012	City Of Seminole	12	1											
5,967	TX0730002	City Of Marlin								1	3				
5,868	TX2150001	City Of Breckenridge											1		
5,770	TX2370001	City Of Hempstead	1												
5,659	TX2490003	City Of Bridgeport													1
5,649	TX0360030	Tbcd West Treatment Plant													1
5,568	TX0370018	North Cherokee Wsc								3					
5,510	TX1240001	Jim Hogg County Wcid 2	4												
5,500	TX1660001	City Of Cameron								4	2		11		1
5,324	TX1540001	City Of Brady Water System						23	13						
5,292	TX2140004	Union Wsc											1		
5,196	TX0610244	Providence Village Wcid													1
5,000	TX1820076	Possum Kingdom Wsc											1		
4,936	TX2050003	City Of Mathis													1
4,917	TX0730004	Tri County Sud	9												
4,902	TX2210022	Steamboat Mountain Wsc								2					
4,900	TX1550004	City Of Mcgregor													1
4,636	TX2510001	City Of Denver City	1												
1,247,441	#violations		40	9	3	4	1	23	13	28	8	7	24	1	23
	# systems		7	3	2	1	1	1	1	10	3	3	10	1	21
	Population served		149,278	128,445	21,929	111,147	9,600	5,324	5,324	177,826	18,001	608,329	167,537	7,031	273,343

APPENDIX M
TCEQ FMT Assistance Contract FY 2013 Annual Report

Table 1
Summary of Contract Objective Completed

Contract Objective	Completed Assignments
1 – FMT Assessment	22
2 – Consolidation Assessment	13
3 – FMT Assistance	457
4 – Consolidation Assistance	0
5 – Special Assignment	27

Table 2
Summary of Specific Tasks Completed

FMT Task	Completed Assignments
Rate Change Application	25
Rate Restructuring Options	8
Rate Study	38
Capital Improvement Plan	35
CCN Applications / Service	16
Emergency Planning	4
STM Application	21
Alternate Source Evaluation	11
Compliance Violations (Address/Prevent)	174
Disinfection	170
MCL Violations (Address/Prevent)	27
Sampling Techniques	145
Water Treatment Optimization	50

APPENDIX N
TOP FY 2013 Annual Report

Texas Optimization Program (TOP)

The Texas Optimization Program (TOP) provides assistance to public water systems under the EPA's requirement that states implement Capacity Development to improve the state's financial, managerial, and technical capacity in both the primacy program and at public water systems. The TOP's primary focus is assistance regarding technical capacity regarding surface water treatment, with a growing focus on groundwater and distribution system technical assistance. In FY 13, the TOP's activities included:

- **TCEQ staff training:** In FY13, the TOP provided sedimentation training to TCEQ Regional offices reaching 90% of the PWS investigators. The TOP also developed and provided four training tours at surface water treatment plants at the annual PWS investigator training. These ranged from introductory to advanced levels.
- **PWS Operator training:** The TOP presented information to operators on how to optimize at the TCEQ's annual Environmental Conference and Trade Fair and at the Water Supply Division's (WSD's) annual Public Drinking Water Conference.
- **Directed Assistance Modules (DAMs):** The TOP develops curricula and documentation for one-day, on-site DAMs which are provided to PWS operators through the WSD's Financial, Managerial, and Technical (FMT) assistance contract. In FY13, the contractor went to 5 different systems to provide 10 DAMs. In FY13, the TOP program developed a new DAM for validating on-line chlorine residual analyzers.
- **Comprehensive Performance Evaluations (CPEs):** CPEs are in-depth, one-week events resulting in recommendations or requirements for a surface water treatment plant. In FY13, the TOP performed one mandatory CPE (mCPE) at the City of La Villa and one optimization CPE at the City of Midlothian. The TOP also hosted and participated in Area Wide Optimization Program (AWOP) training which included EPA staff. The TOP held the AWOP training event at the City of Tyler and performed a training CPE.
- **Special Performance Evaluations (SPEs):** SPEs are technically-focused three-day investigations of surface water treatment plants resulting in a data report that is provided to Regional staff for any needed follow-up or incorporation into a routine Comprehensive Compliance Investigation (CCI). In FY 13, the TOP performed four SPEs.

In FY13, the TOP expanded its ability to support TCEQ staff and PWSs by initiating a TOP Support contract, currently held by the University of Texas at Arlington (UTA). This contract was utilized to provide training and develop DAMs in FY13.

In FY13, additional WSD staff were assigned to participate in TOP, and training materials were developed and disseminated to these new participants.

Cross Connection Control Program

The WSD implements the TCEQ's Cross Connection Control Program (program) to support the Capacity Development special primacy provisions. The program protects public health by assisting public water systems in compliance with TCEQ's backflow prevention and cross-connection control requirements. The program also educates systems regarding the impact of contamination of public drinking water from actual or potential contamination hazards from backflow through cross connections and also facilitates the TCEQ's Cross-Connection Control Subcommittee. In FY 13, program staff conducted on-site surveys of PWS Cross-Connection Control Programs, wrote guidance documents to help PWSs, responded to many backflow questions and complaints, and helped PWSs develop effective Cross-Connection Control Programs. In addition to these efforts, program staff delivered several presentations to American Backflow Prevention Association (ABPA) Chapters, Texas Water Utility Associations, Municipalities, the annual Public Drinking Water Conference, and the annual PWS Investigator Training.